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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/483,315	01/14/2000	Ann Devereaux	9373-1F888US1	8215
23363	7590	09/15/2004	EXAMINER	
CHRISTIE, PARKER & HALE, LLP PO BOX 7068 PASADENA, CA 91109-7068			VU, THONG H	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 09/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/483,315

Applicant(s)

DEVEREAUX ET AL.

Examiner

Thong H Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 76-95 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 76-95 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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1. Claims 76-95 are pending.
2. Claims 76 and 85 have been amended. The Final action is appropriate.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 76-95 are rejected under 35 U.S.C. § 102(e) as being anticipated by Gernert et al [Gernert 6,600,734 B1].

4. As per claim 76, Gernertt discloses a mobile access unit for use in a localized communications system [Gernert, a number of remote mobile units, col 6 lines 38-53] comprising:

a video input configured to receive real-time video information, video output configured to provide real-time video information [Gernert, video cameras, col 7 lines 14-24];

a codec connected to the video input and video output that is configured to encode real-time video information received from the video input decode encoded real-time video information and provide the decoded real-time video information to the video output [Gernert, CODEC, col 11 lines 12-42]; and

a transceiver [Gernert, transceiver, col 7lines 25-58; col 11 lines 12-42],  
comprising:

a transmitter connected to the codec that is configured to transmit a data stream generated by the codec over an upstream wireless communication link; and a receiver connected to the codec that is configured to receive a data stream transmitted over a downstream wireless communication link [Gernert, wireless link, col 8lines 40-48].

5. As per claim 77, Gernertt discloses the codec is configured to multiplex encoded real-time video with other data to generate the data stream provided by the codec to the transmitter; and the codec is configured to demultiplex encoded real-time video from the data stream provided to the codec by the receiver [Gernert, multiplexor/demultiplexor, col 8 lines 25-39,49-67; col 9 lines 1-22, 45-54].

6. As per claim 78, Gernertt discloses a head up display connected to the video output and configured to receive real-time video [Gernert, display on the handset., col 14 lines 50-65].

7. As per claim 79, Gernertt discloses a video camera connected to the video input and configured to provide a real-time video output [Gernert, video cameras, col 7 lines 14-24].

8. As per claim 80, Gernertt discloses an audio input configured to receive real-time audio information;

an audio output configured to provide real-time audio information [Gernert, real-time phone conversations, col 3 lines 22-37];

wherein the codec is connected to the audio input and the audio output [Gernert, CODEC, col 11 lines 12-42];

wherein the codec is configured to encode real-time audio information received from the audio input, decode encoded real-time audio and provide the decode real-time audio to the audio output [Gernert, CODEC, col 11 lines 12-42];

wherein the codec is configured to multiplex encoded real-time video with at least the real time audio encoded by the codec to generate the data stream that is provided to the transmitter [Gernert, multiplexor/demultiplexor, col 8 lines 25-39,49-67; col 9 lines 1-22, 45-54]; and

wherein the codec is configured to demultiplex encoded real-time video from the data stream provided by the receiver that also includes at least encoded real-time audio [Gernert, multiplexor/demultiplexor, col 8 lines 25-39,49-67; col 9 lines 1-22, 45-54].

9. As per claim 81, Gernertt-Rahman disclose a headphone set connected to the audio output and configured to receive real-time audio as inherent feature of wireless phone [Gernert, wireless IP phones, col 10 lines 9-43].

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10. As per claim 82, Gernertt-Rahman disclose a microphone connected to the audio input and configured to provide a real-time video output as inherent feature of wireless phone [Gernert, wireless IP phones, col 10 lines 9-43].

11. As per claim 83, Gernertt-Rahman disclose a user interface input configured to receive information;

wherein the codec is connected to the user interface input and is configured to encode the user interface information [Gernert, CODEC, col 11 lines 12-42];

wherein the codec is configured to multiplex encoded real-time video with at least encoded the user interface information to form a data stream that is provided to the transmitter [Gernert, multiplexor/demultiplexor, col 8 lines 25-39,49-67; col 9 lines 1-22, 45-54]; and

wherein the encoded user interface information is capable of commanding a remote device [Gernert, encoded analog signal, col 8 lines 25-39].

12. As per claim 84, Gernertt discloses the codec is implemented using at least one electronic device[Gernert, the handset or mobile computer device, abstract].

13. As per claims 85-95 contains the similar limitations set forth of method claims 76-84. Therefore, claim 85-95 are rejected for the similar rationale set forth in claims 76-84.

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14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643.

The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Harvey*, can be reached at (703) 305-9705.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9700.

Any response to this action should be mailed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 or faxed to :

After Final (703) 746-7238

Official: (703) 746-7239

Non-Official (703) 746-7240

Hand-delivered responses should be brought to Crystal Park 11,2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

*Thong Vu*  
*Patent Examiner*  
*Art Unit 2142*

